

HB 338 -- CRIME

SPONSOR: Corlew

This bill specifies that a court is not obligated to charge the jury with respect to an included offense unless there is a rational basis for a verdict acquitting the person of the offense charged and convicting him or her of the included offense.

It is the intent of the legislature to reject and abrogate earlier case law relating to required lesser-included offense instructions including, but not limited to, the holding in State v. Jackson, 433 S.W. 3d 390 (Mo. banc 2014) and all case citing, interpreting, applying, or following that case. The bill specifies that the legislative intent is to apply these provisions retroactively.

This bill is similar to HB 1990 (2016).